

This listing of claims will replace all prior versions, and listings, of claims in the application.

### **LISTING OF CLAIMS**

1. (Previously Presented) A method for downloading a video program using a mobile terminal, the method comprising the steps of:

downloading, through one of a first radio access network and a second radio access network, the video program at respective first and second data transfer rates, the video program being downloaded at the second data transfer rate, which is faster than the first data transfer rate, when the mobile terminal is in a coverage area of the second radio access network;

processing the downloaded video program at a playback rate;

buffering portions of the downloaded video program that result when a rate at which the video program is downloaded exceeds the playback rate;

calculating a third data transfer rate, which is lower than the first data transfer rate, in response to the playback rate, the buffered portions and a time duration of a remainder of the video program; and

negotiating, with the first radio access network, the third data transfer rate for downloading the video program, when a difference between the first and third data transfer rates exceeds a threshold level.

2. (Previously Presented) The method of claim 1, wherein the third data transfer rate is equal to

$$R_p - B_t / T$$

where  $R_p$  is the playback rate,  $B_t$  is an amount of the buffered portions of the downloaded video program, and  $T$  is the time duration of the remainder of the video program to be played back.

3. (Previously Presented) The method of claim 1, further comprising the step of continuing to download the video program from the first radio access network using the third data transfer rate when the mobile terminal leaves the coverage area of the second radio access network and is within a coverage area of the first radio access network.

4. (Original) The method of claim 1, wherein the negotiating step is performed when the mobile terminal is within the coverage area of the second radio access network.

5. (Original) The method of claim 1, wherein the negotiating step is performed after the mobile terminal leaves the coverage area of the second radio access network.

6. (Original) The method of claim 1, wherein the first radio access network is a 3G cellular network.

7. (Original) The method of claim 1, wherein the second radio access network is a Wireless Local Area Network (WLAN).

8. (Previously Presented) A mobile terminal for downloading a video program, the mobile terminal comprising:

a receiver for downloading, through one of a first radio access network and a second radio access network, the video program at respective first and second data transfer rates, the video program being downloaded at the second data transfer rate, which is faster than the first data transfer rate, when the mobile terminal is in a coverage area of the second radio access network;

a transmitter for transmitting data to one of the first radio access network and the second radio access network;

a memory device for buffering portions of the downloaded video program that result when a rate at which the video program is downloaded exceeds a playback rate; and

a processor for calculating a third data transfer rate, which is lower than the first data transfer rate, in response to the playback rate, the buffered portions and a time duration of a remainder of the video program, the processor controlling negotiation of the third data transfer rate with the first radio access network for downloading the video program when a difference between the first and third data transfer rates exceeds a threshold value.

9. (Previously Presented) The mobile terminal of claim 10, wherein the third data transfer rate is equal to

$$R_p - B_t / T$$

where  $R_p$  is the playback rate,  $B_t$  is an amount of the buffered portions of the downloaded video program, and  $T$  is the time duration of the remainder of the video program to be played back.

10. (Previously Presented) The mobile terminal of claim 10, wherein the receiver continues to download the video program from the first radio access network using the third data transfer rate when the mobile terminal leaves the coverage area of the second radio access network and is within a coverage area of the first radio access network.

11. (Original) The mobile terminal of claim 10, wherein the third data transfer rate is negotiated when the mobile terminal is within the coverage area of the second radio access network.

12. (Original) The mobile terminal of claim 10, wherein the third data transfer rate is negotiated after the mobile terminal has left the coverage area of the second radio access network.

13. (Original) The mobile terminal of claim 10, wherein the first radio access network is a 3G cellular network.

14. (Original) The mobile terminal of claim 10, wherein the second radio access network is a Wireless Local Area Network (WLAN).